

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**MECCATECH, INC.,**

**Plaintiff,**

**VS.**

**CLAUDIA KISER, SARAH SHEPHERD, PAT  
BARIL, STRATEGIC GOVERNMENTAL  
SOLUTIONS, INC. and THE NEBRASKA  
ASSOCIATION OF SCHOOL BOARDS, INC.,**

## Defendants.

**8:05CV570**

## ORDER

This matter is before the court on plaintiff's Motion [152] and Amended Motion [158] to extend the deadline to amend pleadings, and the parties' Joint Motion [170] to amend the final progression order and for a special trial setting.

I have this date entered an order granting the plaintiff's motion to compel discovery from defendants Kiser, Shepherd, Baril and Strategic Governmental Solutions, Inc. (together, the "SGS Defendants"). As discussed in that order, the SGS Defendants did not timely provide the discovery to which the plaintiff is entitled. It seems very likely that their failure to provide discovery prevented the plaintiff from filing a motion for leave to amend Count VII (the RICO claim)<sup>1</sup> of its complaint before the November 1, 2006 deadline. Furthermore, the depositions of Gary Lange and Joe O'Hara scheduled to be taken in March 2007 were unexpectedly canceled and cannot be taken until August 2006; those individuals are expected to provide relevant information related to plaintiff's RICO claim. Considering these factors, and noting the NASB's objection, I find that the plaintiff has

<sup>1</sup>On June 7, 2006, Count VII was dismissed without prejudice as to the Nebraska Association of School Boards, Inc. ("NASB"). NASB objects to plaintiff's motion to extend the deadline for amending pleadings. *See* Filing No. 161.

shown good cause for the extension of this deadline and that the defendants will not suffer undue prejudice if the deadline is extended. The plaintiff's Amended Motion will be granted and all parties will be given until and including **September 14, 2007** to file motions for leave to add parties and/or amend the pleadings.

Turning to the parties' Joint Motion to amend the final progression order, I find that the trial date should be continued from September 25, 2007 to the week of March 17, 2008. The deposition deadline will be extended to **October 31, 2007**, as requested. This case will not be given a special trial setting, but counsel are advised that no other matters are presently set for trial the week of March 17.

**IT IS ORDERED:**

1. Plaintiff's Motion [152] and Amended Motion [158] to extend the deadline to amend pleadings are granted. All parties are given until and including September 14, 2007 to file motions for leave to add parties and/or amend the pleadings.

2. The parties' Joint Motion [170] to amend the final progression order is granted, in part. An amended final progression order will be entered by further order of the court.

**DATED May 16, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**